

MINUTES
MICHIGAN STATE TRANSPORTATION COMMISSION MEETING
February 22, 2001
Lansing, Michigan

Meeting noticed in accordance with Open Meetings Act, Public Act 267 of 1976.

Present: Jack Gingrass, Vice Chairman
 Betty Jean Awrey, Commissioner
 Ted Wahby, Commissioner
 Lowell Jackson, Commissioner
 John Garside, Commissioner

Charles Krupka, Commission Advisor
Jerry Jones, Commission Auditor
Vickie Plummer, Executive Secretary
Susan Keldsen, Office of Commission Audit
Pat Isom, Assistant Attorney General
Greg Rosine, Director
Barb Hayes, Chief Administrative Officer
Tom Maki, Chief Operations Officer
Philip Kazmierski, Bureau of Urban and Public Transportation
Douglas Novak, Office of Governmental Affairs
William Gehman, Bureau of Aeronautics
Wayne Niles, Bureau of Finance and Administration
Gary D. Taylor, Bureau of Highway Technical Services
Louis Lambert, Bureau of Transportation Planning
Ari Adler, Office of Communications

Absent: Barton LaBelle, Chairman

A list of those people who attended the meeting is attached to the official minutes.

Vice Chairman Gingrass called the meeting to order at 9:15 a.m. in the Bureau of Aeronautics Auditorium, Lansing, Michigan. He then introduced Senator Thaddeus McCotter, Representative Andrew Raczkowski, and Representative John Stewart and thanked them for their attendance at the meeting today.

The Vice Chairman introduced Charles Krupka as the new Commission Advisor, replacing Doug Novak, and Barb Hayes as the new Chief Administrative Officer, replacing Greg Rosine.

COMMISSION BUSINESS

Commission Minutes

It was moved by Commissioner Awrey, with support from Commissioner Wahby, to approve the minutes of January 17, 2001, as submitted. The motion carried on a unanimous voice vote.

OVERSIGHT

Commission/State Administrative Board Contracts and Agreements (Exhibit A)

It was moved by Commissioner Awrey, with support from Commissioner Wahby, to grant approval to the Department to proceed with the contract process. The motion carried on a unanimous voice vote.

Bid Letting Pre-Approvals (Exhibit A-1)

It was moved by Commissioner Wahby, with support from Commissioner Garside, to grant approval to the Department to proceed with the contract process. The motion carried on a unanimous voice vote.

Letting Exceptions (Exhibit A-2)

It was moved by Commissioner Awrey, with support from Commissioner Jackson, to grant approval to the Department to proceed with the contract process. The motion carried on a unanimous voice vote.

Information Items (Exhibit A-3)

This item was for information only and did not require approval by the Commission.

Contract Adjustments

Gary Taylor, Chief Engineer/Deputy Director, Bureau of Highway Technical Services, reported on the contract extras and overruns, Exhibit B.

It was moved by Commissioner Awrey, with support from Commissioner Jackson, to approve the contract adjustments. The motion carried on a unanimous voice vote.

RESOLUTIONS

Resolution 2001-01

Greg Rosine, Director, was asked to read Resolution 2001-01, a tribute to James R. DeSana. It was then moved by Commissioner Jackson, with support from Commissioner Garside, to approve the resolution as submitted. The motion carried on a unanimous voice vote.

State Trunkline Fund (STF) Refunding Bond Resolution

Wayne Niles, Deputy Director, Bureau of Finance and Administration, reported that the State Trunkline Fund (STF) Refunding Bond Resolution and the Comprehensive Transportation Fund (CTF) Refunding Bond Resolution would authorize the Department to pursue the refinancing of certain STF bonds and CTF bonds to generate savings. Interest rates have declined to the point that savings in excess of three percent can be realized on future payment of debt service.

It was moved by Commissioner Wahby, with support from Commissioner Awrey, to approve the State Trunkline Fund Refunding Bond Resolution as submitted. The motion carried on a unanimous roll-call vote.

Comprehensive Transportation Fund (CTF) Refunding Bond Resolution

It was moved by Commissioner Awrey, with support from Commissioner Garside, to approve the Comprehensive Transportation Fund Refunding Bond Resolution as submitted. The motion carried on a unanimous roll-call vote.

POLICY

Intercity Passenger Policy

Commissioner Jackson provided explanation of the subcommittee's work to update the Intercity Passenger section of the 1992 Michigan Transportation Policy Plan and to develop methodology for the Department to carry out the new policy. Changes in the policy will result in better service and will change how capital and operational subsidies are awarded. The policy is before the Commission today for approval.

The Commissioner thanked Phil Kazmierski, Deputy Director, Bureau of Urban and Public Transportation, and his staff for their help in the development of this policy. He also

thanked Commissioner Wahby for serving on the subcommittee, and representatives from Greyhound and Indian Trails for taking part in the discussions.

The "Intercity Passenger" section in the current Michigan Transportation Policy Plan reads as follows:

Intercity Passenger

- Provide capital and operating assistance for intercity passenger carriers only where needed to guarantee service.
- Use capital and operating incentives to upgrade service or to temporarily subsidize new services until they create a self-sustaining market.

The proposed revisions to the "Intercity Passenger" section, if adopted by the State Transportation Commission, would read as follows:

Intercity Passenger

- Assist in meeting the long distance travel needs of the citizens of Michigan by maintaining connections between communities, providing access to the national intercity bus system, and access to other modes of travel.
- Provide financial assistance (capital and operating) to maintain a basic statewide intercity route network.
 - Capital Assistance - provide safe, accessible, up-to-date vehicles and terminals for the traveling public.
 - Operating Assistance - to help maintain existing regular route service and consider new routes that can become operationally self-sufficient. Selection of operators shall be competitively bid.

It was moved by Commissioner Jackson, with support from Commissioner Wahby, to approve the proposed revision to the policy as submitted. The motion carried on a unanimous voice vote.

PUBLIC COMMENT

I-275 Noise Concerns

Senator Thaddeus McCotter expressed support of the residents attending the meeting to discuss the I-275 noise issue.

Sandra Carroll, a resident of Livonia representing the group Families Near I-275, thanked the Commission for allowing the residents to speak on the noise issue for the five-mile stretch of I-275 between Five Mile Road and Ten Mile Road, connecting I-696, I-96, and

M-14. This group is seeking relief from noise levels that now seem apparent since the reconstruction of I-275 in 1999, and represents 15 subdivisions residing along the I-275 corridor.

Larry Shoup, a resident of Farmington Hills, provided a review of past activities regarding the development of I-275 noting that the issue brought to the Commission today concerns increased noise levels associated with the reconstruction of I-275 in 1999. Mr. Shoup noted that prior to the reconstruction, members of this group had requested the Department take steps during reconstruction to reduce all perceivable noise. The request included the design selected to attenuate noise be properly built, installed and maintained, and that sound studies be done immediately after reconstruction and at two-year intervals with immediate action to be taken to correct any problems concerning increased noise levels. Mr. Shoup furthered that the reconstruction was completed in the fall of 1999 using concrete with transverse skewed random tining on the road surface and he congratulated the Department for doing a good job in reconstructing a good and safe road, \$30 million under budget and in one construction season. His concern is that there is now more road noise than prior to the reconstruction and he requested the Commission take immediate and aggressive action to allocate resources to correct the noise problem.

Fred Hendershot, a resident of Livonia, provided an overhead slide presentation to the Commission. He noted that the mission of the Families Near I-275 is to reduce the road noise to a level of 67 decibels or lower. Some suggestions of the group include asphalt be placed over the concrete, grinding the concrete surface, reducing the speed limit to 55 miles per hour, noise abatement walls or berms, and noise absorbing landscaping. He noted that 15 subdivisions were in place prior to I-275, 14 subdivisions were built after construction of I-275 and one subdivision was built after the reconstruction of I-275 in 1999. Mr. Hendershot also noted concerns of the home owners, future development, and financial concerns including the value of surrounding properties. He then discussed the calculation of decibels of vehicles traveling 70 miles-per-hour, comparisons of average decibel ratings of other machinery, and different levels of noise in the environment. Charts were provided showing decibel readings done near I-275 in January of 2001, and in a vehicle traveling north and south on I-275. Concern was expressed that the expansion of M-5, new housing developments, and a new mall at I-96 and Novi Road will add to the current traffic volume on I-275, and that a possibility exists that I-275 will need to be expanded in the future which will continue to increase the noise levels.

Mike Nolta, a resident of Livonia, noted his belief that the experimental tined concrete surface has made the I-275 noise situation intolerable at 83 decibels. He provided some possible solutions to the problem including putting an asphalt cap over the concrete; erecting sound barriers along all residential areas; landscaping along the roadway and exit/entrance ramps to reduce noise and to minimize dirt on homes/yards; lower and

enforce the speed limit; and reduce and enforce truck weight limits. Mr. Nolta feels that because reconstruction was done with an experimental surface, this area merits special consideration.

Representative John Stewart thanked the residents for their attendance at the meeting today, and asked the Department to look at the warranty of the contractor who must take responsibility for the situation. The Representative suggested that if the warranty is no longer in effect, the State of Michigan take responsibility and pursue solutions to the noise problem.

Maureen Miller-Brosnan, City of Livonia Council President, discussed a council meeting at which the Families Near I-275 attended. A town-hall meeting was then held to discuss the issues of this group and included State Representatives. Since then, the council has joined this group at their meetings to learn more about the situation. In November the city council adopted a resolution to support the I-275 residents in their plight to get the noise levels reduced, and hopes that the Michigan Department of Transportation can be counted on to help with a solution.

Jack Engebretson, Livonia City Council member, commented that noise from I-275 was not an issue before the 1999 reconstruction project and is not just the result of increased traffic on the roadway, but a combination of issues.

John Walsh, a resident of Livonia, commented on the professional manner of those speaking today and asked the Commission to take into consideration all the recommendations presented.

Mayor Jack Kirksey, City of Livonia, expressed support of the residents living near I-275 and asked the Commission to please take into consideration all concerns and suggestions expressed by the residents today.

Recess

Vice Chairman Gingrass recessed the meeting at 10:45 a.m. and reconvened the meeting at 11:00 a.m.

I-275 Noise Concerns (Continued)

Gail DiPonio, Laurel Park Homeowners Association, expressed concern of the decreased values of the homes in the subdivisions near I-275. Ms. DiPonio reported that because of the increased noise levels they can no longer entertain in their yard as done previously.

She also questioned the timing on the reconstructed roadway and the placement of exit and entrance ramps.

Representative Laura Toy expressed concern on this issue and noted her willingness to partner with this group and the Department to find a solution to the I-275 noise problem.

Jon Churgay, a resident of Northville, commented that he lives approximately 350 feet from the expressway and has spent over \$15,000 on thermal-glazed windows to seal out the noise from the highway caused by the timing, but has had no relief.

Patty O'Brien, a resident of Livonia, expressed concern that she cannot let her children play outside because of the noise levels that have resulted since the reconstruction of I-275 in 1999.

Nikki Newman, a resident of Northville, expressed annoyance at vibration noises on her kitchen and bathroom windows facing the highway. She also commented that items in a curio cabinet in her living room, which is the room furthest from the highway, are also vibrating, and the noise can be heard in her child's bedroom.

Lawrence Kabrick, a resident of Northville, lives 3/4 mile from the highway and expressed concern that they cannot leave their windows open due to noise from the highway.

Charline Beagen, a resident of Farmington Hills, lives approximately 100-150 feet from I-275. She commented that although there was some noise prior to the reconstruction, the noise level has greatly increased since the reconstruction and Mrs. Beagen expressed concern that they cannot use their outdoor pool or talk in their yard.

Dennis Beagen expressed concern that property values have decreased in the area since the reconstruction of the highway. When the assessed value of their home was recently increased, they were able to provide convincing information to the tax tribunal that the increase was not warranted.

Guiliano Zuccato, a resident of Farmington Hills, commented that the road noise from I-275 is relentless and described it as the sound of a freight train. He explained he can no longer take walks in the woods or even have discussions in his yard.

Michelina Cunningham, a resident of Livonia, moved into the area 15 years ago when the pavement surface was asphalt. She expressed concern that, since the reconstruction of I-275, she cannot call to her husband when he is in the backyard because he cannot hear over the noise from the highway.

Jennifer Wandzel, a resident of Livonia, expressed concern that her children may suffer hearing damage due to the noise from the highway.

Representative Andrew Raczowski thanked the Commission for their patience in listening to residents' concerns today. He noted his belief that the State of Michigan, including the Legislature, should revisit the noise abatement issue in the area of I-275. He suggested that the Legislature may look into the issue this year and asked that the Commission help find a solution to the noise abatement problem.

Mayor Nancy Bates, City of Farmington Hills, provided that in March of 1999, following bidding on the I-275 project and prior to the start of construction, the City of Farmington Hills and residents appeared before the State Transportation Commission with a resolution asking the Michigan Department of Transportation (MDOT) to modify the design, provide a sound evaluation study, and fund noise barriers. Mayor Bates noted that a mutual agreement included the following: MDOT would provide the surface treatment to provide random transverse tining to make the proposed concrete surface as quiet as possible; the City would provide information to MDOT on tining; MDOT agreed to work with the residents to provide a sound study after construction; and, MDOT committed to work with the City of Farmington Hills on this issue. The Mayor continued that MDOT did install the tining; the City did provide construction data to MDOT as requested; and MDOT did work with the City on the sound study. A report on the I-275 traffic noise analysis was prepared for the City of Farmington Hills by CH2MHill and the report was provided to the Commission today. Mayor Bates asked MDOT to work with the City to address the noise issues.

Sandra Carroll closed the formal presentation by asking the Department to acknowledge there is a noise problem in the I-275 area and to recognize the urgency needed to address the noise concerns.

Greg Rosine, MDOT Director, responded that the noise analysis study was just received from the City of Farmington Hills today, and that the Department has enjoyed a good working relationship with the City while working on this issue. The Department will take the opportunity to review the report to address the issues and will provide the Commission, at their March meeting, some recommendations and options to be considered by the Commission.

Commissioner Awrey thanked the residents for their presentations and asked for their patience while trying finding a solution to their noise concerns.

Commissioner Jackson expressed concern about the negative tone given to the word "experimental" noting that the random tining used on the I-275 project was not experimental in Michigan, but had been experimental in Milwaukee. The Commissioner

also noted that almost anything the Department is asked to do to solve the problem will be experimental in the sense that it will have to be unique to the geography of the area. The Department will probably respond by recommending certain things to the Commission, but the recommendations will probably not be the final solution to the problem. He also noted that those enforcing the speed limits should be included in discussions prior to any changes in speed limits. Commissioner Jackson advised the residents not to expect the Department to have a formal answer to everything within the next month, and reminded everyone that no matter what the solution may be, the noise level may still not be reduced to a decibel level of 67.

Vice Chairman Gingrass reported that there were several more public comment cards received by individuals wishing to speak on the I-275 issue, and asked only those who had additional comments not already addressed to come forward.

Jim Crowley, a resident of Livonia, expressed his concerns on the noise issue and noted that he has lost sleep due to the noise.

Tom Zlotucha, a resident of Farmington Hills, pointed out that everyone in attendance today was the result of a culmination of three years of efforts starting with a letter he wrote in 1998 before the road surface was designed, in which he asked that the road noise levels be maintained. He noted his belief that if the residents had input into the design stages of the project, this group would not be here today.

ADJOURNMENT

Vice Chairman Gingrass thanked the group for their presentations and adjourned the meeting at 12:05 p.m.

Commission Advisor